

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

Ivor B. Kaplan,  
Plaintiff,

v.

Civil Action No. 2:23-cv-598 (EWH)

Aesthetic Physicians, Inc., and  
Body Contour Centers, LLC,  
Defendants.

**ORDER SETTING PRETRIAL CONFERENCE**

An initial pretrial conference in this case will be scheduled for **April 17, 2024, at 3:00 P.M.**, to be held by videoconference. The parties are directed to join the videoconference using the link provided by the Chambers of District Judge Elizabeth W. Hanes. It is anticipated that the conference will last approximately fifteen (15) minutes.

As a standard practice, a court reporter will not be present at the conference. However, if any party anticipates that the Court will need to resolve any disputes between the parties or may need to conduct any other business on the record, the party should promptly file a notice with the Court so that the court reporter can be present at the conference.

At the conference, the case will be set for trial. Unless approved by the Court before the pretrial conference, counsel who will actually try the case or counsel with full decision-making authority shall attend the pretrial conference. It is necessary for only one attorney for represented parties to attend the initial pretrial conference, provided that the attorney in attendance is authorized to set the matter for trial on a date certain. Counsel attending the pretrial conference shall be prepared to provide available dates for trial and motions for all necessary counsel of record. In any event, counsel shall be knowledgeable of the facts and legal issues in the action.

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 26(A)(1), if the parties have yet to meet to formulate a discovery plan for the case, the parties are directed to conduct a Rule 26(f) discovery planning conference in advance of the April 17, 2024, initial pretrial conference. The Rule 26(f) meeting may occur by telephone or videoconference. Counsel will orally report the results of the Rule 26(f) meeting at the pretrial conference. If the parties agree on a departure from the discovery procedures contained in the Federal Rules of Civil Procedure or Local Rules, they shall tender an endorsed order at the pretrial conference. If the parties are not in agreement as to the discovery plan, they must file a joint report laying out each side's views and proposals as required by Rule 26(f) at least two (2) business days before the pretrial conference.

No later than ten (10) business days after the Rule 26(f) conference, the parties shall exchange initial disclosures pursuant to Federal Rule of Civil Procedure 26(a). Absent leave of Court, the initial disclosures must occur, regardless of whether a dispositive motion is pending. Disclosures shall be updated pursuant to Fed. R. Civ. P. 26(e). Timely updated disclosures shall include the disclosure of documents and witnesses to be used or offered for impeachment or rebuttal.

It is so ORDERED.

A handwritten signature in black ink, appearing to read 'E. Hanes', is written over a horizontal line.

Elizabeth W. Hanes  
United States District Judge

Norfolk, Virginia  
Date: March 7, 2024

IF THIS CASE IS SETTLED PRIOR TO THE CONFERENCE, PLEASE CALL THE CLERK'S OFFICE AT 757-222-7005.